

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARTHA VASSALLE,
1426 Lindsley Street
Sandusky, Ohio 44870

and

JEROME JOHNSON
1601 North Larchmont Drive
Sandusky, Ohio 44870

Plaintiffs,

vs.

MIDLAND FUNDING, LLC
8875 Aero Drive
San Diego, California 92123

and

MIDLAND CREDIT MANAGEMENT,
INC.
8875 Aero Drive
San Diego, California 92123

and

ENCORE CAPITAL GROUP, INC.
8875 Aero Drive
San Diego, California 92123

Defendants

Case No. 3:11-cv-0096, N.D. Ohio

HON. DAVID A. KATZ

And Related Cases:

Case No. 3:08-cv-1434, N.D. Ohio

Case No. 3:10-cv-0091, N.D. Ohio

Case No. 3:11-cv-1332, N.D. Ohio

**MOTION TO SHOW CAUSE WHY CLASS
MEMBERS SHOULD NOT BE ENJOINED
FROM PROCEEDING WITH PARALLEL
LITIGATION AGAINST DEFENDANTS**

COME NOW Defendants Encore Capital Group, Inc. (“Encore”), Midland Funding, LLC (“Midland Funding”) and Midland Credit Management, Inc. (“MCM”) (collectively, “Defendants”), by and through their undersigned counsel, and hereby file this Motion to Show Cause why class members Betty Gladden, Clyde Hill, Nikki Newcomb, Frances Seals and Joel Lill (collectively, “Plaintiffs”) should not be enjoined from proceeding with their lawsuits in direct contravention of the permanent injunction entered by this Court in *Vassalle v. Midland Funding, et al.*, Case No. 3:11-cv-0096, N.D. Ohio.

Defendants rely upon their Memorandum In Support Of Defendants’ Motion To Show Cause Why Class Members Should Not Be Enjoined From Proceeding With Parallel Litigation Against Defendants filed herewith.

Date: April 2, 2012

Respectfully Submitted:

/s/ Theodore W. Seitz
Theodore W. Seitz
Gary P. Gordon (admitted *Pro Hac Vice*)
Dykema Gossett PLLC
Capitol View
201 Townsend Street, Suite 900
Lansing, MI 48933
Tele: (517) 374-9149
tseitz@dykema.com

*Counsel for Defendants Midland Funding,
LLC, Midland Credit Management, Inc. and
Encore Capital Group, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2012, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to counsel of record. I hereby certify that I have mailed by United States Postal Service the same to any non-ECF participants, including the following individuals.

Ronald C. Sykstus
Bonds, Botes, Sykstus, Tanner & Ezzell, P.C.
225 Pratt Avenue
Huntsville, Alabama 35801

Penny Hays Cauley
Hays Cauley, P.C.
549 West Evans Street, Suite E
Florence, South Carolina 29501

/s/ Theodore W. Seitz
Theodore W. Seitz
Gary P. Gordon (admitted *Pro Hac Vice*)
Dykema Gossett PLLC
Capitol View
201 Townsend Street, Suite 900
Lansing, MI 48933
Tele: (517) 374-9149
tseitz@dykema.com

LAN01\258374.1
ID\TWS - 097356/0999